



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,997	02/09/2001	Ken Kutaragi	SCEI 18.303	5883
26304	7590	03/10/2005	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			SON, LINH L D	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/780,997	UNNIKRISHNAN	
	Examiner	Art Unit	
	Linh Son	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 February 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7,9-12,14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7,9-12,14 and 15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. This written action is responding to the amendment received on September 30th, 2004.
2. The applicant cancels claims 8 and 13. Claims 1-7, 9-12, and 14-15 are pending.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on July 15th, 2004 was filed after the mailing date of the Detail action on July 1st, 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 9-12, and 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rhoads et al, US Patent No. 6522769B1, hereinafter “Rhoads”.

Art Unit: 2135

6. As per claims 1-3, Rhoads discloses "a method of providing a content, characterized in that: when a content is transmitted to a user, an electronic water mark for preventing execution of said content is embedded in said content and at least information associated with the user, to whom said content is to be transmitted, is added to said content" in (Col 10 line 59 to Col 11 line 50); and "when said content is executed, said information associated with the user who has received said content is checked at both transmitting and receiving ends, and the execution of said content is allowed by removal of said electronic water mark if and only if the result of the checking indicates that said content is an authorized content" in (Col 11 lines 29-47).

7. As per claims 4-5, 9-10, and 14-15, Rhoads teaches "a content providing system comprising: a content provider including a content server which stores plural kinds of digital contents and also including in which information associated with a user is registered" in (Col 11 lines 35-45); "at least one user terminal; and a network for connecting said at least one user terminal to said content provider" in (Col 10 lines 50-65), "wherein: said content provider includes a user database for registering, in advance, information associated with a user received from said at least one user terminal; when said content provider receives from a user terminal a request for providing a particular content, said content provider requests said user terminal to resend the information associated with said user and transmits the requested content combined with said information associated with said user after checking that said

information associated with said user is consistent with the information registered in said user database" in (Col 10 line 45 to Col 11 line 50); "when the content transmitted from said content provider is executed at said user terminal, said user terminal checks whether the information associated with said user included in the content is consistent with the information stored in the user terminal; and in accordance with the result of the checking performed at said user terminal, said content provider determines whether to transmit a content execution permission command to said user terminal wherein: said content provider further includes encryption means for encrypting the information associated with a user and embedding an electronic watermark in said content for preventing execution of said content. and. when said content provider receives from a user terminal a request for providing a particular content, said content-provider transmits the requested content after combining the requested content with the information associated with said user and with the electronic watermark: and wherein said content execution permission command transmitted from said content provider serves to remove said electronic watermark for allowing execution of said content" in (Col 10 line 45 to Col 11 line 50).

8. Claims 6 and 11, Rhoads teaches "A content providing system according to one of Claims 4-5 and 9-10, wherein said information associated with the user includes at least a user name, a password, and a device ID uniquely assigned to a device of said user" in (Col 11 lines 29-46).

Art Unit: 2135

9. Claims 7 and 12, Rhoads teaches "a content providing system according to one of claims 4-5 and 9-10, wherein said information associated with a user received from a user terminal is registered, in advance, in the user database of said content provider, said content provider transmits to said user a card on which a card ID is stored said information associated with the user includes at least a user name, a password, a device ID uniquely assigned to a device of said user, and said card ID" in (Col 11 lines 29-46, and Col 26 lines 40-48).

Response to Amendment

10. Applicant has amended claims 1-5, 9, 10, 14 and 15, which necessitated new grounds of rejection. See Rejections above.

Conclusion

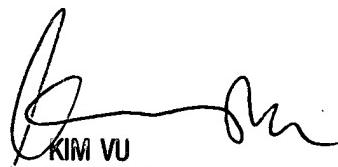
11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

13. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-271-3856.
14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.
15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pdr-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100